IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.6409 OF 2004

Shankar Ramgoonda Birajdar & Ors. ..Petitioners

Vs.

Jaisingpur Municipal Council & Ors. ..Respondents

Mr.S.A.Sawant for Petitioners
Mrs.S.S.Bhende A.G.P. for Respondent Nos.2 to 4

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 28TH FEBRUARY, 2005.

P.C.

. Rule. Heard forthwith.

. However, as no adverse order is being passed against Respondent no.1, their presence is not required for the view to be taken.

2. The case of the Petitioners is that the State of Maharashtra had made available land to Respondent no.1 for giving it to homeless persons. Accordingly Respondent no.1 has made allotments. It is further case that the Respondent No.3, thereafter has directed Respondent no.1 not to give any permission or licence for construction on the land. That is the subject matter of the present Petition.

3. We do not propose to go into the

controversy. Suffice it to say that as the land was allotted by State of Maharashtra to Respondent No.1 for allotment to the homeless persons, the Petitioners are advised to make representation to Respondent No.2 within four weeks from today. Respondent No.2 thereafter, after hearing and after giving notice to Respondent No.1 and hearing the Petitioners and other competent authorities to pass appropriate orders according to law.

. Rule made absolute accordingly. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)